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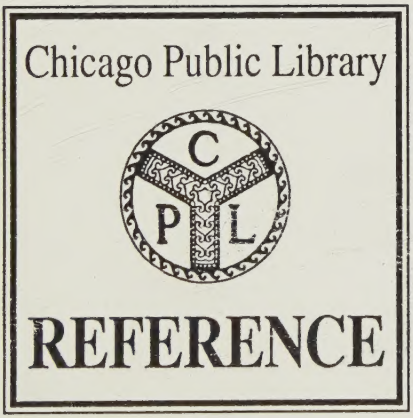

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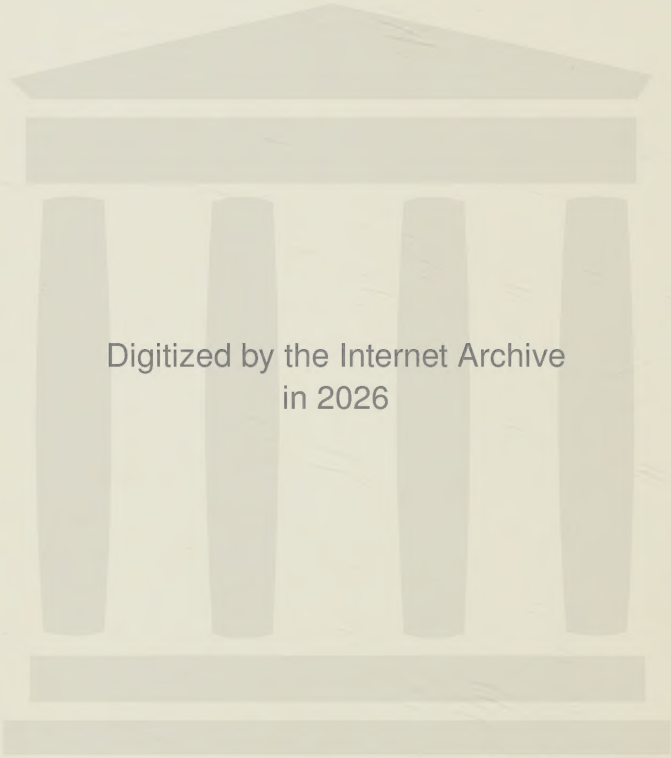
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CURRENT MISCONCEPTIONS ABOUT THE WAR

KARL H. VON WIEGAND'S INTERVIEW WITH THE CROWN PRINCE

WHAT IS GERMAN "CULTURE"?

HAS THE U. S. GUARANTEED BELGIAN NEUTRALITY?

CHAOS IN THE RULES OF WAR

THE CONTRIBUTION LEVIED AGAINST BRUSSELS

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CROWN PRINCE OF GERMANY INTERVIEWED

"Preparation Was Our Duty," Declares Heir to Kaiser's Throne—Holds England Responsible

By KARL H. VON WIEGAND

United Press Staff Correspondent
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HEADQUARTERS OF THE ARMY OF CROWN PRINCE IN FRANCE (*by courier via Namur, Aix-la-Chapelle and The Hague to London, by cable to New York*), Nov. 20.—"Undoubtedly this is the most stupid, senseless and unnecessary war of modern times. It is a war not wanted by Germany, I can assure you, but it was forced on us, and the fact that we were so effectually prepared to defend ourselves is now being used as an argument to convince the world that we desired conflict."

In these words Frederick William, Crown Prince of Germany and heir to the throne of the Kaiser, opened the first interview he has ever given to a foreign newspaper man, and the first direct statement made to the press by any member of the German royal family since the outbreak of the war.

I arrived at the headquarters of the Fifth German army in an automobile, shortly before midnight. At daybreak, I received a call from Major Edler von der Planitz, personal aide de camp to the Crown Prince, who stated that his Imperial Highness wanted to welcome me, but that he was leaving for the firing line and would see me a little later in the day.

When, some time later, the Crown Prince returned, I was presented. He greeted me cordially and without any of the stiffness or cool reserve that might have been expected.

"I am very pleased to see you here," he said, "and I hope that you will find plenty to interest you. I want you to feel at liberty to go wherever you like."

"I hope your Imperial Highness will pardon my Americanized German," I said, in stating to him some of the points in which I thought American readers would be chiefly interested.

"Then let us talk English, if you feel that we can better thus express ourselves," was his quick reply. Acting on the suggestion the Crown Prince of Germany proceeded to give his first interview in English.

An Uncalled-for War

"I am a soldier, and therefore cannot discuss politics," said the Crown Prince, "but it seems to me that this whole business, all of this action that you see around here, is senseless, unnecessary and uncalled for. But Germany was left no choice in the matter. From the lowest to the highest we all know that we are fighting for our existence. I know that soldiers of the other nations probably say, and a great many of them probably think, the same thing. This does not alter the fact, however, that we are actually fighting for our national life.

"Since we knew that the present war was to be forced on us it became our highest duty to anticipate the struggle by every necessary and possible preparation for the defense of the Fatherland, against the iron ring which our enemies have for years been carefully and steadily welding about us.

"The fact that we foresaw and, as far as possible, forestalled the attempt to crush us within this ring, and the fact that we were prepared to defend ourselves is now being used as an argument in an attempt to convince the world that we not only wanted this conflict, but that we are responsible for it.

Germans Are a Unit

"No power on earth will ever be able to convince our people that this war was not engineered solely and wholly with a view to crushing the German people, their Government, their institutions and all that they hold dear. As a result, you will find the German people are one grand unit imbued with a magnificent spirit of self-sacrifice."

The scene of our conversation was the drawing-room of a small French villa, located a few miles directly back of the German fighting-lines and used by the Crown Prince as a headquarters for himself and staff. The Crown Prince entered, accompanied by Major von der Planitz, who, after presenting me, withdrew.

The young commander of the German forces was dressed simply in the gray-green khaki of his troops, in a uniform devoid

of any decorations save a very small insignia of his rank of lieutenant-general and his recently-acquired black and white ribbon of the Order of the Iron Cross. He carried no sword, but toyed with a short swagger stick similar to those carried by English cavalry officers.

Holds England Responsible

Our conversation had been in progress but a short time when it became clear to me that the Crown Prince, like 99 per cent of the Germans I have met on the firing line and off of it, holds England responsible for the present war.

The thing that impressed me most, however, was the fact that despite the intensity of his convictions he displayed none of the intense hatred or the bitterness toward the English which I have observed so constantly among people of all walks of life since the outbreak of the war. On the contrary, there was a note of regret and almost one of sadness as he discussed this phase of the great issue.

I quickly gained the impression that the Crown Prince is by no means the man he has been pictured in England and America.

There is nothing of the fire-eater nor uncompromising warrior about him. He gave no evidence of gaining pleasure from his military experience or of delighting in conflict. It was obvious that the carnage he has already witnessed has made a deep imprint on his naturally impressionistic mind, and he referred frequently to the losses and the suffering, not only of his own but of the enemy's forces.

He was exceedingly generous at all times in his praise of the enemy as he had come in contact with them. If he was ever possessed of a reckless, dare-devil, carefree personality the last traces of it have apparently been removed by his work of the past few months.

Surprised by America's Attitude

Early in the conversation his Imperial Highness assumed the rôle of the interviewer and made evident his deep interest in the sentiment of America and Americans and his lack of understanding of the general attitude of our country toward Germany's position. Like a great majority of all Germans, he is unable exactly to understand why there is not more sympathy in the United States for Germany.

"There is no use or no purpose to be served by our closing our eyes," he said, "to the fact that a very large part of the world is against us.

"But it surprises me that America, to which we are bound by ties of friendship and blood as to no other neutral country; America, where millions of our people have gone and carried the German tongue and German ideas of liberty and freedom, should be so totally unable to put itself in our place.

"I would not be frank unless I admitted that it has been a surprise to me that Americans have not seen more clearly up to this time the position of Germany, entirely surrounded by jealous enemies, fighting for her existence; that they have not had a better understanding which would necessarily mean a higher appreciation of the unexampled sacrifices and heroism of our people, making this gigantic struggle with no other objective than the saving of the Fatherland."

He attributed the attitude of America almost wholly to England's control of the press and the world's channels of communication. He frankly admitted that in the past Germany has failed to appreciate the important rôle played by the press in world politics and in international affairs. He made it clear that Germany has learned a lesson in this respect, and learned it at the price of being branded in the eyes of the neutral nations as a military menace to the world's peace.

Expects Sentiment to Change

"I have faith in the sense of justice of the American people," said his Highness, "once we can get to them the actual facts and the actual truths back of this conflict. I know that up to this time it has been impossible for them to thoroughly understand our situation, but I believe that when the truth is known to them the fair-mindedness and the love of fair play, which has always characterized the acts of your countrymen, will result in a revulsion of sentiment in our favor.

"I had many friends in America. I believe I still have some there. I also have many friends in England—or rather had," said the Prince, with a rueful smile and a shake of his head. Then, turning abruptly and looking me squarely in the eye, he said:

"I want you to tell me exactly what is said about me in America."

I hesitated a moment, trying to figure just how much frankness was compatible with discretion in discussing personalities with the Crown Prince of the German Empire. Apparently reading my thoughts, his Highness laughed good-naturedly, and prompted:

"I like frankness and can stand the truth. Go ahead. I really want to know."

"Well," I replied, "the fact is that your Imperial Highness has been very generally represented, or misrepresented, as one of the *Kriegshetzer*, a war agitator, leader of the war party, and exponent extraordinary of militarism."

Do They Believe I'm a Thief?

"Yes, I know," said the Crown Prince, nodding his head in assent and giving no evidence of surprise, "and the English press says all that and much more. The English papers have stated that I am a thief and that I have personally robbed and pillaged these French houses in which we have been forced to make our headquarters. Really—and I want you to tell me frankly—is it possible that intelligent people in America or even in England can honestly believe such things of me? Can it be possible that they believe me capable of stealing pictures or art treasures, or permitting the looting of French homes?"

I reminded him that in war times sane judgment often went by the boards.

"I know, but it is simply incredible that people could believe what the English papers have printed about me personally and about our side of the war. Let's see, how many times have I committed suicide or been wounded?"

I admitted that I had lost count.

"I am supposed recently to have been badly defeated on the Russian frontier," chuckled his Highness. "But this whole business would be much more amusing," he added in a more sober tone, "if I did not know that as a result of it the public in neutral countries is being misled. As to my being a war agitator, I am truly sorry that people do not know me better."

"No War Party in Germany"

"There is no war party in Germany now and there never has been. I cannot help believing that it will very soon dawn upon the world that so far as Germany is concerned this conflict

is not a war waged by some mythical party, but is a fight backed by the unity and solidarity of the German Empire. This unity is the best answer to the charge with which England is endeavoring to terrify the world—that the war is being pushed by an ambitious military clique."

The young soldier laughed heartily when I told him that the Russian press bureau had recently reported that their troops nearly captured the Kaiser during a recent engagement near Warsaw.

"I must tell father about that. I am sure it will be news to him and that he will enjoy it," he said.

Praises French Troops

Switching to the subject of the enemy, the Crown Prince said:

"The French soldiers are surpassed by none for their bravery. They have fought splendidly. Individually, the French soldier is equal in every respect to our own intelligence, and in some things is quicker and more agile. But he is a defensive fighter and lacks the dogged determination and staying power of our troops when it comes to offensive work. Events have shown that French leadership has been excellent, and it has commanded our admiration."

After a half hour's interview we were interrupted by an officer who reported to the Crown Prince that his staff was mounted and waiting outside. First inviting me to have dinner with him that evening, his Highness excused himself, and, mounting his horse, galloped away to the scene of the day's fighting.

During dinner he returned to the subject of America and his desire to visit our country.

Had Planned Trip Here

"I had all arrangements made for a visit two years ago," he said, "but political objections prevented my trip. I had determined on a visit this year and had planned a hunting trip with Ambassador Gerard, but the war has, of course, spoiled that. Some time, however, I intend to make the trip. I am especially interested in your big industrial centers like Pittsburgh and Chicago, and in your beautiful cities like Detroit, San Francisco and Portland.

"I am most anxious to see one of your baseball games and one of your baseball crowds. You know I have been greatly interested in sports and in furthering them with consideration to the physical training of our young men. Personally, it has been a big disappointment to me that the war has made impossible the scheduled Olympic games at Berlin."

A glance at the reading table in the Crown Prince's room nailed the generally repeated story that he reads only what is clipped for him. I saw on his table leading American, English, French and Italian papers, with several numbers of *Puck* and *Life*. I asked him what he thought of American humor, and he replied that *Life* was one of his favorite magazines because of its clever political satire, its wisdom and its faculty for puncturing conceit. The conversation developed that I have an acquaintance with Jack London.

He Likes Jack London

"London is one of my favorite American authors," he said, "and I would like very much to meet him. I think that his portrayal of nature and the breath of the outdoors, together with his forcefulness, give his writings great power."

I reminded him that London was a Socialist.

"That would not make me want any less to know what kind of a man writes such books," was the quick reply.

Our conversation drifted along freely, skipping about from war to literature, to sports and to human nature generally. It was impossible, however, for me to get from his Highness for quotation any statement of a political nature. Our general talk, however, served to convince me that if this young man, who will in all probability one day rule the German Empire, was ever the hot-headed and boisterous youth he has been painted, the war has turned him into a sober, earnest, thoughtful man, with a deep sense of his responsibility. Despite his boyish appearance (he does not look his 32 years) the Crown Prince is the most modern and up-to-date thinker I have met in German officialdom.

A Natural Human Being

The keynote of his make-up is his simplicity, lack of affectation and the faculty he has of impressing you with the idea that he is just a natural human being, a man among men, with a quiet dignity, no poses and a hearty and freely-expressed dislike

of pomp. There seems little doubt that his reputation for breaking precedents and disregarding traditions, especially if they have a tendency to hamper progress, is well earned. He is no diplomat, knows and admits it. He gives the impression of knowing his own limitations, but has a straightforward manner and an inclination to say just what he thinks, which makes him both trouble and friends. He has an unusual trait of being able to hear the unpleasant truth with good grace. His greatest antipathy is to flatterers.

From my conversation with him I gathered that the Crown Prince is strongly opposed to bureaucracy and everything standing between the people and their ruler. It developed from my conversations with members of his staff that it is almost impossible to get him to sign the death sentence of a convicted spy or franc-tireur.

Recently when the French stormed the German trenches in the Argonne and were hurled back at one point with an unusually heavy loss, the Crown Prince offered the French a truce in order that they might gather up their wounded, who strewed the ground before the German trenches. When I asked the Crown Prince about the incident, he replied:

"Yes, there were several hundred dead and wounded in front of our trenches. I simply could not stand it, thinking of those brave fellows badly wounded, and lying there, many of them dying within a few yards of our doctors and nurses, while others were trying to drag themselves inch by inch toward our or their own trenches. I almost had a row about it with my Chief of Staff, who opposed me in the matter, saying the French would only report that we had asked for a truce because we were defeated. But I insisted on a white flag bearer being sent to the French trenches with an offer to give them time to get their wounded or allow us to get them. They refused, and, as a result, hundreds of those wounded fellows who might have been saved perished miserably. Some of them lived three or four days without food, water or medical attention. The whole thing seemed to me an instance of senseless and useless cruelty."

As a matter of fact I learned from other officers that the Chief of Staff was right in his judgment. The French did report that the Germans had asked for a truce.

I found among the officers of his staff, mostly all young men

like himself, the Crown Prince is an idol. From elder officers, I learned that the young man has demonstrated an unusual capacity for strategic problems, and the prediction is made that the war will serve to place him in the list of Germany's greatest generals.

WHAT IS GERMAN "CULTURE"?

Editorial from the "North American," Philadelphia, Saturday, November 28

In counting up the adverse influences which have beset Germany in her relations toward the world, most of us consider only the armaments allied against her and the moral opposition aroused against certain of her acts and policies. Yet there is another thing, a seeming trifle, which has had a potent effect in causing misunderstanding of German thought and purpose, and misunderstanding is the parent of injustice and enmity.

This handicap lies in the difficulty of expressing German ideas with exactitude in other languages, and particularly in English. Next to a democratic form of government and a somewhat higher conception of international morality, Germany's most urgent need, we should say, is a competent interpretation. An expert translator with sufficient authority to command attention and sufficient familiarity with both languages to render into idiomatic English the phraseology of her public affairs and utterances would be a priceless treasure to the Empire.

The possibilities of confusion that lurk in hasty, ill-considered translations from one tongue to another are really stupendous. There are thoughts and ideas quite elementary to one people which members of another race cannot mentally visualize with even approximate accuracy.

For example, the Japanese who speaks of his "honorable grandmother" expresses a pious veneration which reaches back into the dim regions of antiquity and passes the borderland of religious sanctity. Yet a fictitious Japanese schoolboy of current American humor makes the phrase "Hon. grandmother" irresistibly comic.

To give another instance from the same nation, a Japanese convert to Christianity rendered into his tongue the solemn words "Rock of Ages, cleft for me." His intent was the most pious in the world, but his hearers among his own people were profoundly puzzled by reading the Japanese equivalent of "Very old stone, split for my benefit."

That Germany has suffered seriously by the perversity of transplanted words is not to be doubted. While she was at peace with all the world, no great damage to her standing was apparent. But no sooner had she become involved in war than her foes and her critics made joyous use of distorted translations which had long been current.

The Kaiser, as the most noted and most picturesque spokesman of the nation, has naturally been the chief victim in this regard. His exalted mysticism and his profound conviction of his high mission in the world have exaggerated the widespread misconception of some of his most familiar utterances. Phrases that to his own people ring true and are filled with kingly nobility have been so marred in being carried into other tongues that they have sped round the world amid irreverent laughter.

"Supreme war lord"—thus, as everybody knows, his Imperial Majesty is sometimes addressed, and thus he is wont to name himself in his stirring exhortations to his troops. It is a mouth-filling term, worthy of the military magnificence and worshipful pomp that supposedly envelop the Kaiser, and has become so embedded in popular thought that it would be hopeless to endeavor to pry it out.

Yet the fact is that the phrase as it has reached us is wholly misleading. Wilhelm II. never was hailed and never described himself as "supreme war lord" of the German people. The title he uses, with perfect right and propriety, is "Oberkriegsherr," and its real meaning is pretty well rendered by " commander-in-chief," a title which the President of the United States bears in his capacity as head of the army and navy without arousing fears of imperialistic designs.

Since the beginning of hostilities, the Emperor's words have been more closely scrutinized than ever by his foes. A perfect fusillade of criticism was leveled at him a few weeks ago by persons whose religious sensibilities had been shocked by a sentence in an address to a regiment.

"We shall yet destroy our enemies," ran the report of the imperial speech. "Our old God up there will give us the victory."

This was really too much. A belief in the divine right of kings is bad enough, but it is intolerable that the delusion should be carried so far that a man, however exalted, should invoke the Creator with such arrogant familiarity. The reference to "our

old God up there" seemed in wretched taste, and that the German people did not resent it proved, of course, their pagan depravity.

Unfortunately for the value of this criticism, however, the Kaiser's words had no such meaning as was attributed to them. His religious faith is one of the passions of his life, and his pious veneration for sacred things a habit founded upon deep conviction. What he really said was, "Our ancient God on high will give us the victory," and, whatever may be the thought of his theory, the most bitter opponent cannot justly complain of his phraseology.

But these examples of error in regard to German ideas are trifling compared to a misconception which is even more baseless. If we were asked to name the one thing most hurtful to the German cause we should hesitate whether to cite the violation of Belgium's neutrality, the sack of Louvain or the phrase "German culture."

Certainly the first two have created a vast volume of unfavorable judgment, but the third has had an inflammatory effect upon the public mind that is quite deadly. And all through a misunderstanding.

The prominence of German "Kultur" in the controversy is due to its persistent emphasis by all spokesmen for that side. The Kaiser exhorts his troops to defend the Fatherland and "Kultur." It was Teutonic "Kultur" that was in peril from Russian barbarism, necessitating an invasion of Belgium. The imperial Chancellor used it in his oration to the Reichstag, and it appears in all the manifestoes of statesmen, diplomats, soldiers, journalists, university professors and other advocates for the Empire.

German "Kultur," we have been instructed, is the very soul of Teutonic civilization, the uplifting force in Europe, the one thing needful to regenerate the world. Beside it, the "Kultur" of any other nation whatsoever is a pitiable counterfeit. It sanctified the ambitions of Pan-Germanism and justified every device used to spread its beneficent influence.

Now, to most non-Germans, this apparent claim to the possession of an exclusive "culture" was at first merely amusing. Students of the glories of genius in art, music, literature and science, which are the heritage of the Latin and Celtic and

Anglo-Saxon peoples, found the solemn assumption of Teutonic superiority quite exhilarating.

But in time the word became an irritation. The air of bland finality with which it was uttered by German sympathizers seemed almost offensive, and by common consent their own weapon was turned against them.

"Confound your 'culture'!" said the exasperated world. "Some of us had scholarship and polish and spiritual enlightenment when you were barbarians, and we have works of genius which tower above your best productions like mountain peaks above a plain. Moreover, we do not observe in your social habits, your politics or your international relations any impressive signs of a special refinement which we might profitably adopt."

Hence it became a habit among Germany's critics to fling her "culture" in her teeth. The most inexpert controversialist could make a telling point by inquiring whether the repudiation of treaties and the burning of cities were evidences of German "culture" in operation.

Yet all this is lamentably unjust. Germany has not arrogated to herself the possession of the highest "culture." Her "Kultur" is something quite apart from the popular meaning given to the term used to express it in English.

Culture, in the narrow sense in which most of us use it implies, development of the mind, refinement of the sensibilities, enlargement of the spiritual vision, encouragement of lofty aspirations. "Kultur," on the contrary, is intensely practical and materialistic. It is an all-embracing term for advanced civilization.

When the German speaks of "Kultur" he means not only scholarship and artistic genius, but all the developments in governmental, social and economic betterment.

He includes expert and honest municipal rule, scientific efficiency in industry, education and military training, high standards of service in public utilities, conservation of natural resources, effective measures of public sanitation, an aggressive commercial policy, the amelioration of poverty and the elimination of uneconomic living conditions, old-age pensions, industrial insurance and a thousand other results of German thoroughness in dealing with the problems of existence.

"Kultur" means not only achievements in the arts and sciences,

but in everyday progress. It embraces not only poems and symphonies, but dirigible airships, sanitary tenements and scientific sewage disposal. It covers the whole range of German civilization.

IT IS FOR THIS THAT THE GERMAN PEOPLE ARE FIGHTING. Rightly or wrongly, they are possessed with the idea that other nations have plotted to destroy it, and they have proved themselves ready for any sacrifice to preserve it.

Humanity may properly deplore and resent the theory that this "Kultur," magnificent as it is, justifies the ignoring of treaties as "scraps of paper" and efforts to impose it upon free nations by force of arms. But it must be conceded that the cause is not so trifling as generally supposed.

How much Germany has suffered from the worldwide misconception of her favorite word, it would be impossible to estimate. But our judgment is that she might profitably exchange her whole fleet of armored *Zeppelins* for a plan that would blot out the fatally misunderstood word "culture" from her propaganda and from the memory of mankind.

HAS THE UNITED STATES GUARANTEED THE NEUTRALITY OF BELGIUM?

(*New York Sun, Nov. 23, 1914.*)

Judge George Chandler Holt, formerly of the United States District Court for this district, has raised again in the *Independent* the strange question whether our Government, as a signer of the Treaty of The Hague, is therefore a responsible guarantor of the neutrality of Belgium. Let us be careful to state this remarkable proposition in Judge Holt's own words:

"But the gravest infringement of the Hague Convention which has taken place in this war is the violation of the neutrality of Belgium. The neutrality of Belgium was originally specifically guaranteed by a treaty between the principal Powers now at war, but to which the United States was not a party. *But it is also guaranteed* by the following general provisions of the Hague Convention, *to which the United States is a party:*

"'The territory of neutral Powers is inviolable.

"'Belligerents are forbidden to move troops or convoys of either munitions of war or supplies across territory of a neutral Power.

"'The fact of a neutral Power resisting, even by force, attempts to violate its neutrality cannot be regarded as a hostile act.'"

We do not see exactly what this estimable jurist and jurisconsult is driving at. Apparently all that he desires is that the United States Government, as a signer of the Convention of The Hague, should register without further delay a formal and physically innocuous protest against Germany's violation of Belgian territory and the other alleged infringements of the general compact concerning the rights of neutrality.

Judge Holt Wrong

But if Judge Holt were right in his view of this nation's obligations under the Treaty of The Hague, something more than futile accusations and ineffective protests would be our immediate duty. If the United States Government by solemn contract with the other Powers had made itself responsible for the maintenance of Belgium's neutrality it would be our plain duty to participate in the physical business of driving the invader from Belgian soil, of punishing him for his unlawful aggression,

of collecting from him by force of arms the penalty of his offense and the solatium justly due to the innocent people he has injured.

In other words, if Judge Holt were right, it would become our duty to make war on Germany for precisely the same reason which Great Britain has declared as her cause of war.

There can be no doubt of this. Contract responsibility for Belgium's neutrality once being admitted on our part, there is no middle course between the cowardly repudiation of treaty obligations and the full performance, no matter at what cost, of that duty which Judge Holt says we have undertaken as one of the responsible underwriters of Belgium's neutrality.

But it happens that Judge Holt is not right in his view of this nation's obligation under the several conventions of The Hague. Every one of these successive conventions was signed by the American delegates and ratified by the Senate of the United States under reservation of the declaration originally presented to the conference on July 25, 1899, and reiterated in almost identical words in the plenary session of the Conference of October 16, 1907, as follows:

"Nothing contained in this Convention shall be so construed as to require the United States of America to depart from its traditional policy of not intruding upon, interfering with or entangling itself in the political questions or policy or internal administration of any foreign State; nor shall anything contained in the said Convention be construed to imply a relinquishment by the United States of its traditional attitude toward purely American questions."

There are two sides of the Monroe Doctrine, and both sides are here stated in qualification or modification of any responsibilities we undertook at either of the Peace Conferences at The Hague. The first reservation amply covers the question which Judge Holt raises.

That intelligent jurist will be quick to perceive the distinction between our undertaking to observe on our part the international rules laid down in the several treaties of The Hague and our undertaking to enforce the same rules in the case of European nations. He will be quick to see that in view of the broad reservation just quoted we cannot, by any stretch of imagination or parchment or paper, be regarded as a responsible guarantor of the neutrality of Belgium.

CHAOS IN THE RULES OF WAR

(*New York Sun, Nov. 25, 1914.*)

There is current just now much loose talk about the responsibility of the United States, as a signatory of the various conventions adopted at The Hague in 1907, for the application and enforcement of the rules as to war on land, the rules as to war on sea, and the rules as to the rights and duties of neutrals which were enacted at that memorable Conference of forty-four Powers.

Of the general sleaziness of thought and imperfection of knowledge concerning the status of these codes of war and neutrality we are having every day amazing illustrations by the dozen. Yesterday, *The Sun* commented on the proposition of Judge Holt, in the *Independent*, that the neutrality of Belgium, in addition to special treaties, was guaranteed by one of the conventions adopted at The Hague and that the United States Government was a party to that guarantee, with consequent responsibility and duty in the present situation. Now comes the Rev. George W. Douglas, the senior canon of St. John the Divine, with remarks which exemplify with sufficient inaccuracy the widespread misunderstanding on the subject. For that reason they afford a convenient text, and we accordingly use them as such. Canon Douglas is thus reported by the *Tribune:*

"The United States was a party to The Hague Convention at which certain articles were signed by all the great Powers. As a party to such a contract, it is the duty of the United States to live up to the terms of the agreement, and to insist that other nations do the same. It was expressly stated that no armies should be moved across neutral territory, and that floating or unanchored mines should not be sown in the open sea.

"For the United States to proclaim neutrality is right and proper. But neutrality does not mean that we shall see the terms of such articles violated without protest. Therefore, it is our duty when the terms of The Hague Convention are disregarded to remonstrate and hold up to censure the offending party or parties. Any other course will brand us as cowards."

The Exact Truth Stated

It is about time that the exact truth should be stated about these rules of war and neutrality, supposed by almost everybody to be in force in the existing contest, and likewise supposed by some people to devolve upon this nation responsibility for their assertion; at least to the extent of vigorous protest.

The rules now generally believed to be binding upon the belligerents in Europe were embodied in the series of fifteen treaties or conventions signed by the representatives of the forty-four Powers at the second international Peace Conference at The Hague seven years ago; these instruments being revisions and extensions of the original treaties signed at the first Peace Conference in 1899. Some of the more flagrantly disregarded of these provisions we extracted from the several conventions and printed on this page yesterday under the heading "Scraps of Paper?" It may have been observed by those interested that to this exhibit we appended a note saying that many of the propositions were not ratified by "all" the Powers now belligerent, and that there was a question as to their force in the present war.

It is somewhat of a coincidence that there also came yesterday from Washington the news that our State Department has reached the conclusion that the so-called Declaration of London is no longer to be regarded as valid for the regulation of the proceedings of belligerents in naval warfare.

The broad fact is that none of the codes formulated at The Hague in 1907 for the mitigation of the horrors of war, for the preservation of the rights of private property, for the safeguarding of noncombatants, for the protection of neutral individuals and communities, can be regarded as legally valid or in force under the present circumstances. This means that the charge of perfidy or violation of a deliberately undertaken agreement drops out of sight in all such cases as where one or another of the belligerents has overrun neutral territory, or bombarded unfortified towns, or pillaged defenseless villages, or dropped bombs without warning on unarmed places, or exacted enormous blackmail from helpless cities. These are all removed from the category of violations of treaty faith.

No Treaties Violated

They may still be deplored on general grounds of humanity and public policy, they may be rebuked as contrary to that vague

thing known as "international law," *but they can no longer be denounced as the deliberate repudiation of engagements undertaken by solemn contract in treaty form recorded at The Hague.* This is true whether the offenses in question have been committed by Germans, by British, by Austrians, by Russians, or by French.

The practical and legal exemption of the fighting Powers from the operation of the rules of war enacted at The Hague may be illustrated by the one case already referred to, namely: the treaty prohibition of entrance upon neutral territory:

"The territory of neutral Powers is inviolable.

"Belligerents are forbidden to move troops or convoys of either munitions of war or supplies across the territory of a neutral Power.

"The fact of a neutral Power resisting, even by force, attempts to violate its neutrality cannot be regarded as a hostile act."

These particular "rules of war" are contained in the fifth Convention of the series of fifteen signed by the forty-four Powers at The Hague in 1907. It is entitled "Convention Respecting the Rights and Duties of Neutral Powers and Persons in War on Land." Under other circumstances the foregoing prohibitions might be operative; but Article XX of this Convention says:

"The provisions of the present Convention do not apply except between Contracting Powers, and then only if *all* the belligerents are parties to the Convention."

Now, although all the present belligerents may have signed this Convention, in the persons of their respective representatives at The Hague, only those Governments which subsequently ratified the Convention became parties to its engagements. *In this case, Convention V was ratified only by Germany, the United States of America, Austria-Hungary, Denmark, Mexico, the Netherlands, Russia, Sweden, Bolivia, and Salvador. It was not ratified by England or France. When France, therefore, became a belligerent, the German Government, by the very terms of this particular compact and contract, was released from its obligation not to violate neutral territory, not to move troops or convoys of munitions or supplies across neutral territory*, not to regard as a hostile act resistance on the part of the violated neutral. We are speaking, of course, of Germany's violations of neutrality only so far as they relate to

obligations contracted at The Hague; not to other treaty obstacles to freedom of war action.

About Bombs and Explosives

In the same way, the treaty prohibition of the bombardment of undefended towns, of looting, of outrages on the non-combatant population, of the levy of excessive penalties on captured cities, of the destruction of historic monuments, and so on, is contained in the various articles of Convention IV, "Respecting the Laws and Customs of War on Land." The second article of that Convention is as follows:

"The provisions contained in the Regulations [annexed to the Convention], as well as in the present Convention, do not apply except as between Contracting Powers, and then only if *all* the belligerents are parties to the Convention."

This Convention was ratified by Germany, the United States, Austria, Great Britain, and Russia, *but not by France.* So far as it was a binding contract its requirements were suspended when France entered the fight.

What we have said of the fifth and fourth Conventions is equally true of these others in the series:

"VIII. *Relating to the laying of automatic submarine contact mines. Ratified by Germany, Austria, and Russia, but not by Great Britain and France.*

"IX. Concerning bombardment by naval forces in time of war. Ratified by Germany, Austria, Great Britain, Russia, but not by France.

"X. For the adaptation of the principles of the Geneva Convention to maritime warfare. Ratified by Germany, Austria, and Russia, but not by Great Britain and France.

"XI. Relating to the right of capture in naval war. Ratified by Germany, Austria, and Great Britain, but not by Russia and France.

"XIII. Concerning the rights and duties of neutral Powers in case of maritime war. Ratified by Germany, Austria, and Russia, but not by Great Britain and France.

"XIV. *Prohibiting the discharge of projectiles and explosives from balloons. Ratified by Great Britain, but not by France, Russia, Germany, and Austria.*"

In each of these Conventions, covering as they do almost the entire range of questions of mooted propriety of conduct during

war, there is an article identical with or similar to that which is printed above, nullifying the entire Convention unless *all* the contestants are parties to the same.

Thus the entire fabric of prohibition, restriction, regulation in the interest of humanity and more civilized methods of warfare, is thrown into chaos, so far as the conventions of The Hague are concerned, by this pervasive article obliterating the contract obligations in all cases where any *one* of the belligerents happens not to be a contracting party.

In the present war, therefore, the ambitious attempt at codification becomes a mere scrap of paper, legally invalid and void.

And what becomes of the persistent idea that the United States Government, as a party to these several Conventions, is in duty bound to intervene by act or protest to enforce regulations which have been made inoperative by the provisions of the treaty itself?

NO RULES OF WAR

Remarks on the Discovery that Practically All of The Hague Conventions Are Suspended by the Failure of Some of the Present Belligerents to Ratify

(*New York Sun, November 27, 1914*)

To the Editor of The Sun—*Sir:* Permit me to thank you for the article on the "Chaos in the Rules of War." *The Sun* may live in a small building, but it has a big head for getting at the facts. *The Sun* surely shines for all. My first impression of the war was that Germany was responsible for starting it, and that she had acted the part of a desperate highway robber, violating every treaty and every law of civilized warfare. This impression was, of course, created by means of the news certified to us by way of London.

Your article of to-day puts Germany in the right, in so far as the Conventions of The Hague of 1907 are concerned; and it is rather astonishing to find that while Germany ratified five out of the six articles named by you, Great Britain refused to ratify three of the six.

If we assume that England was as well informed as you are regarding these articles, and it is inconceivable that Sir Edward Grey was not, then what must we think of the attitude of England, trying to make the people of the United States believe that Germany violated Belgium's neutrality, and that she entered this war for the purpose of protecting Belgian neutrality, which, by the way, she has not done, and which we are forced to believe she must have known she could not do?

I feel sure many others will thank you for your splendid article of to-day, for I know the American people, of whom I am one, are desirous of giving a square deal to all the belligerents.

George H. Gudebrod.

Hartford, Conn., November 25, 1914.

Perhaps Canon Douglas Does Not Quite Get the Point

To the Editor of The Sun—*Sir:* Inasmuch as in your editorial article of November 25 you have done me the honor of referring to a newspaper report of a recent address of mine, it is proper that I should correct an inaccuracy in that report.

The reporter failed to catch the important preamble to the passage of my speech which he took down. My preamble was:

If the articles of The Hague Convention are not a negligible scrap of paper, then each of the contracting parties has a serious responsibility.

Then followed my remarks, which in substance are correctly given.

If I understand it, the contention of your editorial article is that, although some of the ablest jurists and diplomats of our generation endeavored to draft a document which would be of permanent service to the world in international warfare, nevertheless they failed, at least so far as this war is concerned, to make it binding.

I have seen many statements of the case pro and con., but none that I can remember puts your view of it as clearly as your editorial article does.

I have not seen Judge Holt's article, to which you also refer, and from what you say of it I gather that he does not agree with you. But even if your contention is altogether correct, may we not hope that the efforts of the next Hague Conference will be more effective after the awful lessons which the world is learning now?

GEORGE WILLIAM DOUGLAS,
Member of the World's Alliance for the Promotion of International Friendship.

NEW YORK, November 25, 1914.

The present suspension of nearly all the rules of war, so far as the Conventions of the second Conference at The Hague are concerned, is accomplished not by neglecting but by strictly regarding the terms of that compact. In each case specified some one or more of the Powers now belligerent failed to ratify, and, therefore, as the Conventions provide, the rules become inoperative. For the United States Government to undertake to protest, as Canon Douglas urges, against the non-observance of rules voided by the treaty itself, would be to protest against the treaty itself. Canon Douglas can hardly persist in maintaining that to refrain from so doing is a course that will "brand us as cowards." As for Judge Holt's view of our treaty obligations, and as for the circumstance that it does not agree with *The Sun's* view, we are quite content to let the Judge take care of the discrepancy in his own way. But we certainly share Canon Doug-

las's hope that the efforts of the next Peace Conference may be more effective.

The Extent of This Nation's Responsibility for Protest or Enforcement

To the Editor of The Sun—*Sir:* Permit me, as an old and appreciative reader of *The Sun*, a few remarks bearing upon the editorial article in *The Sun* of yesterday headed "Has the United States Guaranteed the Neutrality of Belgium?"

It would appear from this article that Judge Holt is of the opinion that as one of the signatories to the treaty of The Hague forbidding the violation of neutral territory by belligerents, America is for that reason bound to enter at least a formal protest against Germany's invasion of Belgium.

Commenting on this view, you seem to take the ground that for the reservation under which the American delegates signed and the United States Senate ratified this as well as other Conventions of The Hague it would be incumbent on the United States Government not only to protest against the invasion but to join hands with other signatory Powers in their efforts to expel the invader from Belgian soil. You also declare that "If Judge Holt were right it would become our duty to make war on Germany for precisely the same reason which Great Britain has declared."

As a matter of fact, the provision of The Hague Convention quoted by Judge Holt amounts to no more than the formal expression and adoption of a principle of international law regarded as well established for a century or longer by American as well as other publicists. But it has never been held, so far as I know, that a violation of the principle imposes upon neutral nations accepting it the duty of also enforcing it. Neither does the provision of The Hague Convention under consideration do so; and had America subscribed to it without any reservation whatever it would not be obliged to take up the cudgels for Belgium.

In its insistence, as disclosed by the White Paper, that Germany keep out of Belgium, Great Britain did not rely on the principle mentioned, but upon the contract she entered into in 1831 with certain European Powers, including Prussia—the German Empire was then non-existent—guaranteeing the neutrality of Belgium, a newly formed and weak State. Indeed, she could not consistently have invoked this rule or principle, since in passing through Portuguese territory she had disregarded it in order to get at the Boers; and perhaps she foresaw also that

her Asiatic ally might find it convenient if not necessary to violate the territory of China for the seizure of the district Germany held under lease from that country, a task Great Britain had imposed, or intended to impose, upon the said ally.

It may not be amiss to point out here, though outside of this discussion, that Great Britain's declaration of war on Germany was not altogether motived by her desire to keep Belgian soil inviolate, for, as again shown by the White Paper, she declined to commit herself when asked by Germany whether she herself would remain neutral in the war on condition that Germany regarded Belgium's neutrality.

It would seem then that if Judge Holt's view were correct, even as limited by *The Sun*, heavy responsibilities would be added to those Uncle Sam has already incurred by the maintenance of the Monroe Doctrine. Any attempt to carry such a view into effect would be an attempt to beat down wickedness all over the world, a manifestly impossible undertaking.

A CONSTANT READER OF THE SUN.

WASHINGTON, D. C., November 25, 1914.

If the eminent and respected gentleman who here modestly presents himself as "Constant Reader" will look again at the editorial article which in one particular he criticises, he will find that the extent of responsibility on the part of the United States was only conditionally discussed by *The Sun*. We said, "*If* the United States, by solemn compact with the other Powers, *had made itself responsible* for the maintenance of Belgium's neutrality, etc." The supposition is no longer worth discussing, except academically. As our esteemed "Constant Reader" will have seen since he wrote his letter, all question as to the extent of this nation's duty of interference or protest, either with or without the Monroe Doctrine reservation, is removed by the broad fact that so far as the compact of The Hague is concerned there has been no breach of treaty faith by Germany. Convention V, "Respecting the Rights and Duties of Neutral Powers and Persons in War on Land," expressly provides that its prohibitions shall not apply "except between Contracting Powers, and then only if *all* the belligerents are parties to the Convention." It is a somewhat noteworthy fact that in this instance the prohibitions fall because England and France failed to ratify, although Germany, Austria, and Russia did ratify.

Nobody to Fight; Nobody to Protest Against

To the Editor of The Sun—*Sir:* After reading your leading editorial article to-day, based on Judge Holt's remarks as to the attitude which the United States should take because of the violation by a belligerent of the territory of a neutral, it has occurred to me that there is one considerable difficulty which neither you nor Judge Holt mentioned.

Against whom should the United States protest or fight? Against Japan and England for their violation of the unquestioned neutrality of China, or against England for her alleged violation of Switzerland by her airships and of neutral waters by her cruisers, or against Germany for her invasion of Belgium, or against all three?

Would it not be rather difficult, as well as practically ineffective, for the United States to fight against nations actually engaged in fighting each other? If the idea should be to fight one side until it should be beaten and then turn and fight the other side, why should we commence with Germany rather than with England and Japan? Their disregard of China's neutrality was without the excuse of the belief of necessity, and was directed against a country which has not even been accused of secretly intriguing with their enemies.

The fact that the Belgians have suffered terribly, while the Chinese have not, may have been due to errors of judgment by the Belgians themselves, and in any event does not affect the moral issues or the rights and duties of the United States.

Henry Bennett Leary.

New York, November 24, 1914.

As already stated, the general suspension of responsibility to observe the rules of war embodied in the several Conventions adopted at The Hague, and rendered inoperative in the present conflict by the failure of one or the other of the present belligerents to ratify, makes it idle to discuss the extent to which this Government ought to go in another case where the compact was operative.

Not Germany's Fault That the Conventions Are Inoperative

To the Editor of The Sun — *Sir:* Will somebody please tell me why England, which is fighting for the protection of neutral Belgium, did not ratify The Hague Convention V, "the territory of neutral Powers is inviolable," etc., and why the German "Huns" did sign it?

Will you please tell me why England, which is fighting for civilization, humanity, etc., did not ratify The Hague Conventions VIII, IX, X, XI and XIII, and why the German barbarians did?

Would it not have been human and civilized if England had then acted in these matters by deeds instead of hot air?

FREDERICK PETERS.

NEW YORK, November 25, 1914.

We take it that Mr. Peters will be satisfied to have his questions printed, even if nobody attempts to answer them. It is only fair to say that of the eight principal conventions, to the present status of which *The Sun* has called attention, seven were ratified by Germany, and likewise by Austria. The eight conventions fail in the present war through the circumstance of non-ratification by France in all eight cases, by Great Britain in four cases, and by Russia in two cases. The one convention which Germany did not ratify is that relating to the discharge of projectiles and explosives from balloons. This failed of ratification by France and Russia, as well as by Germany and her ally Austria.

We acknowledge the receipt of a number of other interesting communications on this highly important and decidedly enlightening subject. These letters either closely parallel those printed above or, on account of their length, must await the opportunity of space and special attention.

THE CONTRIBUTION LEVIED AGAINST BRUSSELS

(From "German 'Atrocities' and International Law." By James G. McDonald, Assistant Professor of European History in Indiana University. Published by the Germanistic Society of Chicago.)

Very important is the charge of illegally levying vast assessments against the city of Brussels and the province of Brabant. The amounts, $40,000,000 and $90,000,000, respectively, are named, but practically nothing has been given as to the exact terms of assessment or collection. The second assessment has been denied. The first has been admitted, though the exact amount, it is said, has not yet been fixed.

The international law of such "contributions" was defined in 1907 by The Hague Convention, regulating the "Laws and Customs of War on Land," as follows:

Article 49. "If, besides the taxes referred to in the preceding article, the occupant levies other money contributions in the occupied territory, this can only be for military purposes or the administration of such territory."

Article 51. "No contribution shall be collected except under a written order and on the responsibility of the Commander in Chief. The levy shall only take place, as far as possible, in accordance with the rules in existence and the assessment in force for taxes. For every contribution a receipt shall be given to the payer."

These articles seek to limit the amount of "contributions" to what is needed within the territory actually occupied, either for military necessities or for administrative purposes. Contributions so limited are undoubtedly legal.

This war-right has been held "to be peculiarly unjust and wanting in that spirit of sympathetic concern for national feeling, which informs the modern usages of war so largely." It is true that "it seems cruel" to allow the Germans occupying Belgium to make Belgians contribute to the support of that army which is holding them in subjection. It is true that "contributions"

are "a relic of the vested rights which an invader once possessed to money, goods, and labor of the people he had temporarily conquered." But is war itself not a relic of barbarism?

In reality, "contributions," if not extortionate, and if levied in lieu of requisitions (demands for supplies, e.g., horses, cattle, etc.), and to supplement or substitute for the regular taxes, may be the most humane method of supporting a conquering army in an enemy country. A concrete case, cited by a German representative at the international conference at Brussels in 1874, will illustrate how "contributions" may be a valuable method of equalizing a heavy military burden: "An army arrives at a rich town, and demands a certain number of oxen for its subsistence. The town replies that it has none. The army would be compelled in that case to apply to villages, which are frequently poor, where it would seize what it is in want of. This would be a flagrant injustice. The poor would pay for the rich. There is, therefore, no other expedient but to admit an equivalent in cash. This is likewise the mode which the inhabitants prefer. Moreover, it cannot be admitted that a town which is unable to pay in kind shall be exempted from paying in money."

The last edition of the British Field Service Regulations echoes this same defense, when it authorizes commanders to raise "contributions in order to distribute the burden of levying the supplies more evenly over the whole population," for otherwise it is only the inhabitants immediately or near the line of march who feel it. "By levying contribution," this article continues, "in large towns, which are principal administrative centers or districts, and, by expending the sums so obtained in the purchase of supplies in outlying districts, the latter may be made to bear their share as well."

"Contributions," then, are normally legal, as a measure of necessity to meet administrative or military needs within an occupied territory. If levied as a supplement to or as a substitute for other and sometimes more onerous means of support these money assessments are perfectly legal. One authority on international law has argued that these levies were illegal because, "according to The Hague rules, it is forbidden to penalize by pecuniary indemnity or personal punishment any general body of people for violation of the laws of war by a few. So that even if the Belgians had violated the rules of war, unless you can show

that the entire population of Brussels was, as a body, responsible, it is illegal to levy a heavy fine upon them."

This is true. But the German military officers seem not to have levied a fine upon Brussels. Rather they seem to have imposed these levies, "in place of taxes," and "in place of requisitions in kind." Hence their system of "contributions" may prove to be highly commendable.

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